

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
BLUEFIELD DIVISION**

**MICHAEL BARNHILL,**

**Plaintiff,**

**v.**

**Civil Action No. 1:25-cv-00356**

**MOUNTAIN VALLEY PIPELINE, LLC,  
a Pennsylvania limited liability company;  
EQUITRANS MIDSTREAM CORPORATION,  
a Pennsylvania corporation; and  
EQT CORPORATION, a Pennsylvania corporation,**

**Defendants.**

**NOTICE OF DEFENDANTS' STATEMENT REGARDING EXPERT DISCLOSURE**

Defendants Mountain Valley Pipeline, LLC ("MVP"), The Midstream Company (f/k/a Equitrans Midstream Corporation) and EQT Corporation ("EQT") (collectively, unless otherwise noted, the "Defendants"), submit the following statement:

1. This matter involves a single cause of action for wrongful termination in violation of public policy. *See* Complaint, ECF No. 1-1.
2. After removing this action, Defendants discovered that Plaintiff is bound by an arbitration agreement with his employer, Gulf Interstate Field Services, Inc., which mandates arbitration of Plaintiff's claim. Upon receipt of the arbitration agreement, Defendants promptly filed a Motion to Compel Arbitration. *See* ECF Nos. 13 and 14.
3. Plaintiff's sole argument in opposition to Defendant's Motion to Compel Arbitration is that Defendants have waived their right to performance of the arbitration agreement by removing this action to federal court and filing a motion to dismiss. *See* ECF No. 18, pp. 1, 6.

4. As detailed in Defendants' Reply Memorandum in Further Support of their Motion to Compel Arbitration, ECF No. 19, Defendants have not taken any actions inconsistent with an intent to arbitrate.

5. On July 28, 2025, this Court entered a Scheduling Order requiring Plaintiff to disclose trial experts by January 12, 2026, and Defendants to disclose trial experts by February 20, 2026. *See* ECF No. 30, ¶ 3.

6. On December 30, 2025, in light of the approaching expert disclosure deadlines, Defendants filed a Motion to Vacate the Scheduling Order and to Stay, which remains pending before the Court. *See* ECF No. 34.

7. To date, Plaintiff has not served or filed any expert disclosure.

8. As a result of the outstanding jurisdictional issues and Plaintiff's arguments regarding waiver, further litigation activity in this Court risks waiver of or prejudice to Defendants' arbitration rights. Consistent with Defendants' desire to preserve their rights to arbitration, Defendants have not served any discovery requests, and no discovery has been exchanged beyond the limited initial disclosures mandated by Fed. R. Civ. P. 26(a).

9. In the event the Court denies Defendants' Motion to Compel Arbitration or otherwise requires continued litigation in this venue, Defendants expressly reserve the right to make expert disclosures, if necessary, following appropriate discovery and in accordance with any operative scheduling order.

**MOUNTAIN VALLEY PIPELINE, LLC,  
THE MIDSTREAM COMPANY (F/K/A  
EQUITRANS MIDSTREAM CORPORATION),  
and EQT CORPORATION,**

**By Counsel**

/s/ Jennifer J. Hicks

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 17<sup>th</sup> day of February, 2026, I electronically filed the *Notice of Defendants' Statement Regarding Expert Disclosure* via the Court's CM/ECF system, which will send an electronic notice of the filing to the following counsel of record:

John-Mark Atkinson, Esquire  
Natalie R. Atkinson, Esquire  
Atkinson & Frampton, PLLC  
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Charleston, WV 25311  
*Counsel for Plaintiff*

/s/ Jennifer J. Hicks

Jennifer J. Hicks, Esquire (WVSB #11423)